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Attorneys for Defendant VISA INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SPENCER BUENO, individually and on behalf
of all others similarly situated

Case No.: 4:24-cv-08968-HSG

Plaintiff,

**STIPULATION AND ORDER TO
TRANSFER THIS CASE TO THE
SOUTHERN DISTRICT OF NEW
YORK (as modified)**

VISA, INC.,

Defendant.

1 Plaintiff Spencer Bueno (“Plaintiff”) and Defendant Visa Inc. (“Visa”), by and through their
2 respective attorneys of record herein, enter into this Stipulation with reference to the following
3 circumstances:

4 WHEREAS, on December 11, 2024, Plaintiff filed its complaint against Visa in the Northern
5 District of California (“Complaint”);

6 WHEREAS, the parties have reached an agreement to extend the time within which Visa must
7 move, answer, or otherwise respond to Plaintiff’s complaint;

8 WHEREAS, Visa filed a motion pursuant to 28 U.S.C. § 1404(a) to transfer this action to the
9 Southern District of New York (*see ECF No. 20*), where the Department of Justice filed a related
10 complaint on September 24, 2024, Civil Action No. 1:24-cv-7214, six other related putative Class
11 Action Complaints are also pending under a consolidated caption (*see In re: Visa Debit Card Antitrust*
12 *Litig.*, Case No. 1:24-cv-07435-JGK (S.D.N.Y.) (collectively, the “Related New York Class
13 Actions”), and a seventh related putative class action is in the process of transferring (*see Fletcher v.*
14 *Visa Inc.*, No. 4:24-cv-00752, ECF No. 12 (W.D. Mo. Nov. 22, 2024) (order transferring case to
15 S.D.N.Y.));

16 WHEREAS, 28 U.S.C. § 1404(a) permits transfer of a case to any “district to which the parties
17 have agreed by contract or stipulation.” *Atl. Marine Const. Co. v. U.S. Dist. Ct. for W. Dist. of Texas*,
18 571 U.S. 49, 59 (2013);

19 WHEREAS, Plaintiff does not oppose Visa’s motion to transfer this action and hereby consents
20 and stipulates to transfer this action to the Southern District of New York;

21 NOW, THEREFORE, the undersigned parties hereby stipulate, and the Court orders, as follows:

- 22 1. The deadline for Defendant to move, answer, or otherwise respond to Plaintiff’s complaint is
23 adjourned until such time set by the transferee court.
- 24 2. For the reasons set forth in Visa’s pending motion to transfer (ECF No. 20), Plaintiff’s
25 complaint is hereby transferred to the United States District Court for the Southern District of
26 New York for further proceedings.
- 27 3. All other deadlines set by this Court are hereby vacated.
- 28 4. This stipulation is entered into without prejudice to any party seeking any interim relief.

5. Nothing in this Stipulation shall be construed as a waiver of any of Plaintiff's, potential Class members', and Defendant's rights or positions in law or in equity, or as a waiver of any defenses that Defendant would otherwise have, including, without limitation, defenses on lack of personal jurisdiction or inconvenient forum.

IT IS SO STIPULATED.

Dated: December 23, 2024

ARNOLD & PORTER KAYE SCHOLER LLP

By: /s/ *Sharon D. Mayo*
SHARON D. MAYO

Attorney for Defendant
VISA INC.

Dated: December 23, 2024

BATHAEE DUNNE LLP

By: /s/ Brian J. Dunne
BRIAN J. DUNNE

Attorney for Plaintiff
and the Proposed Class

SIGNATURE ATTESTATION

I, Sharon D. Mayo, am the ECF user whose user ID and password are being utilized to electronically file this STIPULATION AND [PROPOSED] ORDER TO TRANSFER THIS CASE TO THE SOUTHERN DISTRICT OF NEW YORK. Pursuant to Local Rule 5-1(i)(3), I hereby attest that the other signatories have concurred in this filing.

Dated: December 23, 2024.

ARNOLD & PORTER KAYE SCHOLER LLP

By: *s/ Sharon D. Mayo*
SHARON D. MAYO

Attorney for Defendant
VISA INC.

ORDER

Based on the stipulation of the parties, and good cause appearing therefore, IT IS HEREBY ORDERED that the Stipulation is approved.

PURSUANT TO STIPULATION, IT IS SO ORDERED. This order terminates docket no. 20.

The Clerk is directed to transfer this case to the United States District Court for the Southern District of New York and then close the case.

DATED: 12/23/2024

THE HONORABLE HAYWOOD S. GILLIAM, JR.

United States District Judge